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KEVIN S. HUFFMAN
COMMISSIONER

Charter School Waiver Request Process – April 2011

[Tennessee Code Annotated § 49-13-105](#) allows public charter schools to apply to either the local education agency (LEA) or the Commissioner of Education for waivers from State Board of Education Rules or State statutes. A specific list of the types of rules or statutes that may not be waived is included in that section of the law.

To submit waiver requests to the LEA, charter school operators should contact the appropriate LEA staff to determine the process. The rules governing submitting waiver requests to the Commissioner are posted [online](#). Please review these rules before submitting requests.

Pursuant to statute and rule, waiver requests to the Commissioner are handled as follows:

1. No later than 60 days prior to the planned implementation of the waiver, charter schools must submit a request to the Director of Charter Schools, via mail, fax or email:

Marcy Tidwell
marcy.tidwell@tn.gov
615-532-6274
Director of School Choice
710 James Robertson Pkwy, 9th Floor
Nashville TN 37243

The request must include the following:

- The specific state board rule or statute requested to be waived,
- The mission and goals of the charter school as contained in the application filed with the local board of education pursuant to T.C.A. § 49-13-107,
- Detailed documentation of the grounds for requesting the waiver, and
- Specific evidence showing how the state board rule or statute currently inhibits or hinders the proposed charter school's ability to meet its goals or comply with its mission statement.

Operators must also include information regarding other waiver requests filed with the LEA, and the status of those requests.

2. Following review by the Director of Charter Schools, the Commissioner will review the requests and either grant or deny the request within 10 days of receipt (unless additional information has been requested for clarification).